

REMARKS

The application has been amended and is believed to be in condition for allowance.

The indication that claims 6, 7, 10, and 11 would be allowable if rewritten into independent form is gratefully acknowledged.

Claims 1-11 remain in this application. New claims 12 and 13 are introduced to further claim the invention.

Claims 1 and 3 have been amended as to the location of the cutting edge with respect to a flow of lubricant through the opening of the channel. The amendments find support in the specification and the drawing figures (e.g., page 4, line 20 to page 5, line 3) and do not introduce new matter.

New claims 12 and 13 depend from independent claims 1 and 3, respectively; the claims find support in the specification and the drawing figures (e.g., page 7, lines 29-32) and do not introduce new matter.

The Official Action rejected claims 1-5, 8 and 9 under 35 USC 103 as being unpatentable over Chung (US Patent No. 6,200,073; hereinafter CHUNG).

In reply, it is firstly noted that independent claims 1 and 3 have been amended, as stated above.

As to claim 1, it is respectfully submitted that CHUNG does not teach or suggest a lathe tool wherein the head 5 and the cutting edge 6 are inscribed in and substantially tangent to a periphery 8 of a cylindrical space 7 corresponding to the prolongation of said tool body 2 such that the cutting edge is located in an immediate prolongation of a flow of lubricant at an outlet at the one end of the tool support.

On the contrary, CHUNG teaches a milling shaft wherein lubricant is enabled to flow down a groove 44 in the side of a bore 20 and across the flutes of the cutting mill and chamfer toolbits and out onto the surface of the work piece being machined (column 3, lines 30-35). Figure 4 of CHUNG clearly illustrates that the flow of lubricant through groove 44 is directed away from the axis of the tool 22 (as shown by the arrows 17). It is respectfully submitted that CHUNG does not teach or suggest the cutting edge of the tool located in the immediate prolongation of the lubricant flow, and therefore does not teach or suggest all the features recited in claim 1 as amended.

Moreover, the tool disclosed in CHUNG is a combination of a chamfering and milling tool substantially constituted by a chamfering tool with an elongated bore in which is inserted a milling tool, wherein the elongated bore further comprises a groove for dispensing lubricant onto the surface of the work piece being machines (column 3, lines 33-35). This means for

distributing lubricant onto the work piece is well known and is not comparable to the one of the invention.

As shown by Figure 4, the lubricant is not sprayed directly on the cutting edge of the radial flutes 18, but is only in contact with the cutting edge after having been sprayed on the surface of the work piece. Further, this applies only for the flute corresponding to the exit of the groove 44; the other flute diametrically opposed to the first one is only in contact with the lubricant accumulated on the work piece during the chamfering operation.

Thus, CHUNG provides no motivation to one of skill in the art to solve the technical problem of the invention because CHUNG is concerned only with the distribution of lubricant on the surface of the work piece, and not on the cutting edge of the head of the tool.

For the reasons set forth above, it is respectfully submitted that claim 1 is patentable over CHUNG. Reconsideration and withdrawal of the rejection are respectfully requested.

It is also respectfully submitted that claim 3 is patentable over CHUNG for at least the reasons set forth above as to claim 1.

It is further submitted that claims depending from claims 1 and 3 are patentable at least for depending from a patentable claim, as stated above.

Reconsideration and withdrawal of the rejections of all the claims are respectfully requested.

In addition, it is respectfully submitted that claims 12 and 13 are patentable at least for reciting one or more spray channels. CHUNG expressly teaches away from distributing lubricant as a spray (column 3, lines 36-40). Accordingly, it is submitted that dependent claim 12 and 13 are novel and non-obvious over CHUNG.

From the foregoing, it will be apparent that applicants have fully responded to the January 7, 2008 Official Action and that the claims as presented are patentable. In view of this, applicants respectfully request reconsideration of the claims, as presented, and their early passage to issue.

In order to expedite the prosecution of this case, it is requested that the Examiner telephone the attorney for applicants at the number set forth below if the Examiner is of the opinion that further discussion of this case would be helpful.

The Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any

overpayment to Deposit Account No. 25-0120 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17.

Respectfully submitted,

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